

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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FRIEDA REIZES,

ANSWER TO COMPLAINT

Plaintiff

11-cv-03455-ENV-RER

-against-

DGT HOLDINGS, INC., D/B/A
ACCESS MANAGEMENT RECEIVABLES,

Defendant

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Defendant DGT Holdings, Inc., D/B/A Access Management Receivables by its attorney Mel S. Harris and Associates, LLC, answers plaintiff's complaint as follows:

1. Defendant acknowledges that this case is brought under the FDCPA but denies any violation of the FDCPA.
2. Defendant lacks knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph "2" of the complaint.
3. Defendant lacks knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph "3" of the complaint.
4. Defendant admits the allegations contained in paragraph "4" of the complaint.
5. Defendant admits the allegations contained in paragraph "5" of the complaint.
6. Defendant avers that paragraph "6" seeks a legal conclusion to which no response is necessary.
7. Defendant admits that this Court has jurisdiction over Plaintiff's FDCPA claims.
8. Defendant admits that venue is proper. Defendant denies each and every other allegation contained in paragraph "8" of the complaint.
9. Defendant admits the allegations contained in paragraph "9" of the complaint.
10. Defendant denies each and every allegation contained in paragraph "10" of the complaint.

11. Defendant denies each and every allegation contained in paragraph “11” of the complaint.

12. Defendant lacks knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph “12” of the complaint.

13. Defendant denies each and every allegation contained in paragraph “13” of the complaint.

14. Defendant hereby repeats the answer to Paragraphs 1-13 of this Answer as the answer to this Paragraph “14” of the Complaint as though fully set forth herein.

15. Defendant lacks knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph “15” of the complaint.

16. Defendant denies each and every allegation contained in paragraph “16” of the complaint.

17. Defendant denies each and every allegation contained in paragraph “17” of the complaint.

18. Defendant denies each and every allegation contained in paragraph “18” of the complaint.

19. Defendant lacks knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph “19” of the complaint.

20. Defendant denies each and every allegation contained in paragraph “20” of the complaint.

21. Defendant lacks knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph “21” of the complaint.

22. Defendant denies each and every allegation contained in paragraph “22” of the complaint.

23. Defendant denies each and every allegation contained in paragraph “23” of the complaint.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

24. Defendant avers that the alleged actions of Defendant were proper and did not violate any provision of 15 U.S.C. § 1692 et. seq.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

25. Any violation of law by defendant, which is specifically denied, was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid any such error.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE

26. Plaintiff's claims are or may be subject to an arbitration agreement requiring plaintiff to submit these claims to mandatory and binding arbitration. If so, Defendant will exercise its right to arbitration under the agreement, which is specifically enforceable pursuant to the Federal Arbitration Act, 9 U.S.C. Section 1, et. Seq.

AS AND FOR A FOURTH AFFIRMATIVE DEFENSE

27. Defendant reserves the right to allege and assert any additional and/or further affirmative defenses as become apparent to defendant during the course of this litigation.

Wherefore, Defendant respectfully prays that this action be dismissed with prejudice in its entirety and that Defendant be awarded reasonable attorneys' fees and costs incurred to date in defending this action and for such other and further relief as this Court deems proper.

Dated: New York, NY
August 17, 2011

/S/ Scott Wortman
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